GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prohibition & Excise Department - Allegation of Criminal Misconduct and Criminal Conspiracy against Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist (Retd.) for his involvement in Liquor Syndicate Case - Disciplinary action initiated - Delinquent officer placed on his defence before the Tribunal for Disciplinary proceedings - Orders of Hon'ble High Court dated 24.12.2020 in W.P. No 4059/2020 - Implemented - Orders - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.19 **Dated:11.01.2022**

Read the following:

1. From the D.G., ACB, Lr.Rc.No.57/RCO-VKI/2012, Dt:06.11.2012.
2. Govt.Memo.No.49990/Vig.IV/2012, Dated:16.01.2013.
3. Orders dt:24.12.2020 of the Hon'ble High Court in W.P.No.4059 of 2020 filed by Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist.(Retd.)

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ORDER:

Whereas, it was brought to the notice of the Government that Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist.(Retd) while he was in service involved in disciplinarily case pertaining to liquor syndicate cases of East Godavari District among the other Prohibition & Excise officials. After conducting detailed enquiry, the Director General, Anti Corruption Bureau in his final report Dt.06.11.2012 recommended to place Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.) on his defence before Tribunal for Disciplinary Proceedings (TDP) along with other Prohibition & Excise officials.

2. After careful examination of the recommendations of the D.G., ACB, Government have taken a decision to entrust the case to the Tribunal for Disciplinary Proceedings (TDP) including Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.), vide Memo 2nd read above. Further Part-B Notes duly signed by the competent authority were sent to the TDP for regular Inquiry along with other prohibition and Excise Officials vide Govt. Memo dated:17.06.2013. Charge Memo was issued by the Tribunal for Disciplinary Proceedings vide Tribunal Enquiry Case No. 311/2013 dated 03.08.2018.

3. Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.), has filed Writ Petition No.4059 of 2020 before the Hon'ble High Court with a prayer to set aside the above said charge memo and requested for pensionery benefits. The Hon'ble High Court has passed the following order on 24.12.2020 in the above Writ Petition:-

> "Undisputedly, in the case on hand, the incident of misconduct took place on 05.03.2012 and the charge memo was issued on 03.08.2018 almost after lapse of six years four months 28 days. Therefore, by applying the law laid down in STATE OF UP's case (supra), the charge memo, dated 03.08.2018, is liable to be set aside In the result, the Writ Petition is allowed setting aside the Charge Memo in Tribunal Enquiry Case No.311/2013, dated 03.08.2018 (Served on 20.08.2018) issued by the 3rd respondent. The Respondents are directed to release the pensionery benefits of the petitioner within three months from today. There shall be no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed."

5. Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.) has filed C.C.No.2080/2021 for not implementing the orders dt:24.12.2020 of learned single Judge passed in W.P. No.4059 of 2020.

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6. Government, after careful examination of the matter, and in compliance and due respect to the orders dated:24.12.2020 of the Hon'ble High Court of A.P passed in W.P.No.4059 of 2020, hereby sanction all the pensionery benefits such as Encashment of earned leave, full pension, Gratuity to Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.), subject to outcome of the Writ Appeal to be filed before the Hon'ble High Court of Andhra Pradesh,

7. The Commissioner of Prohibition and Excise shall take further necessary action for releasing the pensionery benefits immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA RADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri N.Amareswara Rao, Prohibition & Excise Inspector, East Godavari Dist(Retd.) through Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.

The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary to Andhra Pradesh Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.

The Government Pleader for Services - I, Andhra Pradesh High Court, Amaravati. w.r.t Writ Peition.No.4059/2020.

The Director of Treasuries and Accounts, Andhra Pradesh, Vijayawada.

Sf/Sc

// FORWARDED BY ORDER //

R.Vijay Kishore
SECTION OFFICER